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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/664,855  | 09/19/2000  | Masayuki Enoki       | 197452US2S          | 5425             |
| 22850   | 7590        | 10/05/2005           | EXAMINER            |                  |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.<br>1940 DUKE STREET<br>ALEXANDRIA, VA 22314 |             |                      | NGUYEN, HUY D       |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2681                |                  |
| DATE MAILED: 10/05/2005   |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                           |                  |
|------------------------------|---------------------------|------------------|
| <b>Office Action Summary</b> | Application No.           | Applicant(s)     |
|                              | 09/664,855                | ENOKI ET AL.     |
|                              | Examiner<br>Huy D. Nguyen | Art Unit<br>2681 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 July 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 12-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 12-16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 7/13/2005 have been fully considered but they are not persuasive.

Regarding amended claim 12, the applicants submitted that the newly added limitation "a controller configured to disable transmission of the location registration signal to the base station" distinguishes over the applied references (Salmela and Witter). The examiner responds that the Witter reference teaches that "after an attempt to access a base station has failed, a sleep timer is started in the CPU, and the MSM is powered down to a reduced power mode, followed by the RX section. After the RX section has powered down, the CPU powers down to complete the transition to the reduced power mode. After the sleep timer expires, the CPU, RX Section and MSM are restored to full power, and the phone again searches the available carriers in an attempt to access a base station." When the CPU is powered down, no transmission can take place. Therefore, the above passage reads on the limitation "a controller configured to disable transmission of the location registration signal to the base station".

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salmela et al. (U.S. Patent No. 6,181,938) in view of Witter (U.S. Patent No. 6,073,035).

Regarding claims 12-14, Salmela et al. teaches a mobile station for CDMA mobile communication system, comprising: a transmitter configured to transmit a location registration request signal (e.g., step 2A-1, the dual mode terminal DMT transmits a location update request Loc\_Update\_Req) to a base station being acquired by the mobile station; a receiver configured to receive an acknowledge signal transmitted, in response to the location registration request signal, from the base station (e.g., In step 2A-4, the visitor location register VLR transmits an acknowledgement that the location updating has been performed to the mobile switching center MSC, which transmits the acknowledgement further to the mobile terminal DMT in step 2A-5) (see figure 2A and column 3, lines 50-65).

Salmela et al. does not teach a controller configured to disable the receiver and to disable transmission of the location registration request signal to the base station for a first time period when the receiver does not receive the acknowledge signal within a second time period of the transmission of the location registration request signal and configured to enable the receiver and to enable transmission of the location registration request signal to the base station when the first time period elapses. However, the preceding limitations are taught in Witter (see column 3, lines 15-22). It would have been obvious to one having ordinary skill in the art, at the time of the invention, to apply the teaching of Witter to the teaching of Salmela et al. in order to reduce power consumption.

4. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salmela et al. (U.S. Patent No. 6,181,938) in view of Witter (U.S. Patent No. 6,073,035) in further view of Jeong (U.S. Patent No. 6,421,539).

Regarding claims 15-16, the combination of Salmela et al. and Witter does not teach means for acquiring a second base station when the receiver does not receive the acknowledge signal within a third time period of the transmission of the location registration request signal; wherein the transmitter transmit another location registration request signal to the acquired second base station and the receiver receives another acknowledge signal transmitted, in response to the another location registration request signal, from the acquired second base station. However, the preceding limitations are taught in Jeong (see column 6, lines 34-39). It would have been obvious to one having ordinary skill in the art, at the time of the invention, to apply the teaching of Jeong to the teaching of Salmela et al. and Witter to maintain good quality communication link between the mobile device and the base station.

#### Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HN  
Huy Nguyen

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER